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Garmin 702.336  
PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Darrin Kabel et al.

Serial No.: 10/785,544

Filed: 2-24-2004

For: **COMPUTER PROGRAM,  
METHOD AND DEVICE FOR  
CONTROLLING THE  
BRIGHTNESS OF A DISPLAY**

Art Unit: 2674

Examiner: Liang, Regina

**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION**

The owner, Garmin Ltd., owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent Nos. 6,703,998 and 6,590,561 which are also owned in their entirety by the undersigned owner. On information and belief, the inventions described in the instant application and U.S. Patent Nos. 6,703,998 and 6,590,561 were commonly owned in their entirety at the time such inventions were made.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is